

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 23, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GERALD RUSSEL,

Plaintiff,

v.

GC SERVICES LIMITED
PARTNERSHIP,

Defendant.

NO: 2:19-CV-273-RMP

ORDER DISMISSING PLAINTIFF'S
STATE LAW CLAIMS WITH
PREJUDICE AND DENYING
MOTIONS AT ECF NOS. 20 AND 55
AS MOOT

BEFORE THE COURT is the parties' Stipulated Motion to Dismiss State Law Claims, ECF No. 56. Having reviewed the Stipulation and the record, the Court finds good cause to GRANT dismissal of Plaintiffs' state law claims.

Additionally, Defendant "agree[d] not to contest liability in this matter with regard to the allegations that [Defendant] violated 15 U.S.C. § 1692c(a)(2), 15 U.S.C. § 1692d, and 15 U.S.C. § 1629f." ECF No. 56 at 2. The parties stipulate that the "sole remaining issue before the Court is Plaintiff's claimed actual damages

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1 under 15 U.S.C. § 1692k(a)(1) which are disputed by Defendant.” *Id.* at 3. As
2 Defendant has stipulated to liability and only contests damages, the instant
3 stipulation renders Plaintiffs’ Motion for Partial Summary Judgment as to
4 Defendant’s FDCPA Liability, ECF No. 20, moot. Accordingly, **IT IS HEREBY**
5 **ORDERED:**

6 1. The parties’ Stipulated Motion to Dismiss State Law Claims and Re
7 FDCPA Liability, **ECF No. 56**, is **GRANTED**.

8 2. Plaintiff’s state law claims, which include his second and third causes of
9 action, are dismissed **with prejudice** and without fees or costs to any
10 party.

11 3. The pending Motion for Partial Summary Judgment as to Defendant’s
12 FDCPA Liability, **ECF No. 20**, and Motion to Strike Declaration in
13 Support of Partial Motion for Summary Judgment, **ECF No. 55**, are
14 **DENIED AS MOOT**.

15 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
16 Order, enter judgment of dismissal with prejudice, provide copies to counsel, and
17 **close this case.**

18 **DATED** April 23, 2020.

19 *s/ Rosanna Malouf Peterson*
20 ROSANNA MALOUF PETERSON
21 United States District Judge

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